

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

WP(C).No. 29954 of 2006(N)

PETITIONER:

THIMOTHY, AGED 55,
S/O.KANKAPADAN LONAPPAN, CHIYYARAM VILLAGE,
KURIACHIRA DESOM, THRISSUR DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

THE DISTRICT COLLECTOR,
THRISSUR, AYYANTHOLE, COLLECTORATE,
THRISSUR.

BY G.P. SRI.I.V.PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09/01/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

.....
W.P.(C) No.29954 of 2006
.....

Dated this the 9th day of January, 2007.

JUDGMENT

The petitioner who has installed a photocopying machine and operating the same in the Collectorate, Thrissur, applied for permission to start a telephone booth also. This is declined by the District Collector for the reason that another person by name Sivaraman is running a telephone booth. In these days when most people use mobile phones, there is dwindling in business of the public call offices. If there is not enough business for setting up another booth, I do not think petitioner is entitled to another booth which will affect the business of the person already operating it. However, if there is enough volume of business, nothing stands in the way of the District Collector granting another booth to the petitioner. This will be established if there is heavy crowding or queuing up in the existing telephone booth by the public which the petitioner can point out to the Collector for granting approval, if satisfied on enquiry and after verifying the telephone bills of the other booth-operator.

The W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms